

REMARKS

In response to the Office Action dated March 8, 2006, claim 3 has been cancelled and claims 5-13 have been added. Claims 1-2, and 4-13 are now active in this application.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 101

Claim 3 has been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

The rejection is moot as to cancelled claim 3.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

Claims 1-4 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Sotomayor (USPN 5,708,825).

The rejection is moot as to cancelled claim 3 and respectfully traversed as to claims 1, 2 and 4.

The factual determination of lack of novelty under 35 U.S.C. § 102 requires the identical disclosure in a single reference of each element of a claimed invention such that the identically claimed invention is placed into possession of one having ordinary skill in the art. *Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F.3d 1339, 200 U.S. App. LEXIS 6300, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994).

There are significant differences between the claimed invention and the apparatus/method disclosed by Sotomayor that scotch the factual determination that Sotomayor identically describes the claimed inventions within.

In Sotomayor, the summary page generator 40 performs predetermined processing on a source document 20 to produce derivative documents 64, such as a summary page 62 and a presentation page 150, thereby correlating the derivative documents with each other. In contrast, in the present invention, the original data (document) and the derivative data (document) are correlated with each other (relating the original data and the derivative data – recited in the preamble of claims 1, 2 and 4).

In addition, in Sotomayor, the presentation page 150 is produced by dividing the original document 20. Therefore, the presentation page 150 is not the original document 20.

In the present invention, information representing the content of processing (editing information) is attached to both of the original data and the derivative data.

attaching the link information and the editing information ***to the original data and the derivative data*** as accompanying information thereof. (Claim 1)

accompanying information attaching means for ***attaching*** the accompanying information generated by the accompanying information generation means ***to the original data and the derivative data***. (Claim 2)

attaching the link information and the editing information ***to the original data and the derivative data*** as accompanying information thereof. (Claim 4)

In Sotomayor, a source anchor 75 is created on a link source page, and a destination anchor 76 is created on a link destination page. However, information representing the content of processing performed on the source document 20 to produce the derivative document (output

document 64) is **NOT** attached to the derivative document and the source document 20 (original document) in Sotomayor.

Furthermore, in the present invention, the original data, the derivative data, link information, and editing information are stored, and the link information and the editing information are attached to each of the original data and the derivative data. Therefore, in the present invention, it is possible to easily know, based on the link information and the editing information, whether there is any derivative data of the original data and whether there is any original data of the derivative data. Still further, it is possible to easily know the correlation of each of the original data and the derivative data, such as how to generate the derivative data from the original data. Hence, in the present invention, it is possible to know whether there is any corresponding data and what the correlation of the data is in two ways, namely, from the original data to the derivative data and from the derivative data to the original data (see page 8, line 13 through page 9, line 17 of the present application).

The above argued differences between the claimed apparatus and method vis-à-vis the apparatus and method of Sotomayor undermine the factual determination that Sotomayor identically describes the claimed inventions within the meaning of 35 U.S.C. § 102. *Minnesota Mining & Manufacturing Co. v. Johnson & Johnson Orthopaedics Inc.*, 976 F.2d 1559, 24 USPQ2d 1321 (Fed. Cir. 1992); *Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986). Applicant, therefore, submits that the imposed rejection of claims 1, 2 and 4 under 35 U.S.C. § 102 for lack of novelty as evidenced by Sotomayor is not factually or legally viable. Consequently, withdrawal of the rejection of claims 1, 2 and 4 under 35 U.S.C. § 102(b), as well as the allowance of claims 1, 2 and 4, is respectfully solicited.

NEW CLAIMS

Claims 5-13, depending directly or indirectly from independent claim 1, are submitted.

Claim 5, depending from claim 1, delineates that the accompanying information is inseparably attached to each of the original data and the derivative data. This subject matter is supported by the disclosure at page 6, line 20 through page 7, line 7 of the present application.

Claim 6, depending from claim 1, delineates that the editing processing includes at least one of copying for generating the derivative data that have exactly the same content as the original data, processing for obtaining the derivative data by modifying the original data, and image processing on the original data in the case where the original data are image data. This subject matter is supported by the disclosure at page 5, line 12 through page 6, line 3 of the present application.

Claim 7, depending from claim 6, delineates that the copying processing includes processing for sending the original data from a system in which the original data are stored to another system. This subject matter is supported by the disclosure at page 6, line 20 through page 7, line 7 of the present application.

Claim 8, depending from claim 7, delineates that the copying processing includes processing for sending the original data from a computer having the original data to another computer connected to the computer through one of a network and a serial connection. This subject matter is supported by the disclosure at page 5, line 12 through page 6, line 3 of the present application.

Claim 9, depending from claim 8, delineates that the network includes one of a LAN and a WAN such as the Internet. This subject matter is supported by the disclosure at page 5, line 12 through page 6, line 3 of the present application.

Claim 10, depending from claim 1, delineates that the link information is information that enables a user to directly or indirectly refer to either of the original data and the derivative data from the other data. This subject matter is supported by the disclosure at page 6, lines 4 through 19 of the present application.

Claim 11, depending from claim 10, delineates that the link information includes the name of the other data, and wherein the link information further includes at least one of a location of the other data and a pointer indicating the location thereof. This subject matter is supported by the disclosure at page 6, lines 4 through 19 of the present application.

Claim 12, depending from claim 11, delineates that the pointer is the URL of the derivative data in the case where the derivative data are stored in a Web server. This subject matter is supported by the disclosure at page 6, lines 4 through 19 of the present application.

Claim 13, depending from claim 1, delineates that the accompanying information is attached to each of the original data and the derivative data by using one of a method of describing the accompanying information in header information in each of the original data and the derivative data, a method of describing the accompanying information in tag information of each of the original data and the derivative data if the original data and the derivative data are image data, and a method of writing accompanying information generated according to an XML in a predetermined area of each of the original data and the derivative data. This subject matter is supported by the disclosure at page 6, line 20 through page 7, line 5 of the present application.

As claim 1 is patentable over Sotomayor, new claims 5-13 are patentable over Sotomayor also and their allowance is respectfully solicited.

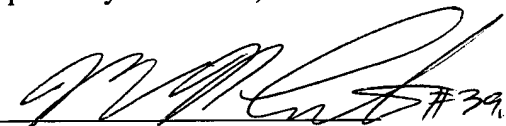
CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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